

STATE BOARD OF EDUCATION BY-LAWS

Adopted May 9, 2002

"Leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, is vested in a State Board of Education. It shall serve as the general planning and coordinating body for all public education, including higher education, and shall advise the legislature as to the financial requirements in connection therewith."

Michigan Constitution
Article VIII, Section 3 (In Part)

I. MEETING PROCEDURES

A. Types of Meetings

1. Regular Meetings - Regular meetings will be held monthly unless otherwise determined by the State Board. A quorum of the State Board must be present. An affirmative vote by the majority of the members serving on the State Board shall be required to transact business. In accordance with the Open Meetings Act, regular meetings will be open to the public and press unless the State Board takes specific action to go into closed session. A record will be made of the proceedings, including votes on all actions of the State Board and will be available to the public.
2. Committee of the Whole - Meetings of a Committee of the Whole may be convened from time to time as determined by the State Board. A quorum must be present to conduct a Committee of the Whole meeting. The Superintendent or the President will preside; a prepared agenda may be adopted and followed; a record may be kept; all recommendations considered in Committee of the Whole will be presented for final decision in a Regular or Special meeting of the State Board. In accordance with the Open Meetings Act, Committee of the Whole meetings will be open to the public and press.

At least six days before the date of a Regular or Committee of the Whole meeting, the State Board Executive will give written notice of the meeting of the State Board. This notice will include an agenda and related materials, as well as the time and

place of each Regular and Committee of the Whole meeting. It will be sent by First Class mail or other method, as requested, to each member of the State Board at the address of the member of the State Board furnished to the State Board Executive. The State Board Executive will post a public notice of the meeting in accordance with the Open Meetings Act.

3. Special Meetings - Upon request of the Chairman, and with the concurrence of three voting members of the State Board, a special meeting will be called by the State Board Executive. The State Board Executive will also call a special meeting upon the request of not less than three voting members of the State Board. In accordance with the Open Meetings Act, these meetings will be open to the public and press, unless the State Board takes specific action to go into closed session.

At least two days in advance of the special meeting, the State Board Executive will provide written notice of the special meeting of the State Board to Board members. The written notice will include an agenda and related material. It will be sent by overnight courier, facsimile, or electronic mail to each member of the State Board at the address or facsimile number provided by the member.

If a meeting is called without due notice to State Board members, all voting members of the State Board must waive notice of the special meeting in advance of the meeting. If not, no formal action can be taken by the State Board.

Special meetings of the State Board may also be held, without written notice to State Board members, if all voting members of the State Board are present and agree to hold the special meeting.

The State Board will consider only those matters included in the call for the special meeting of the State Board, except that upon written consent of all voting members obtained before the special meeting is held, the State Board may consider new business at the special meeting of the State Board.

4. Closed Sessions - It is the intent of the State Board to go into closed session only in accordance with the Open Meetings Act.

It is the intent of the State Board to decide and to announce in advance the form of meeting to be held. All necessary materials to be considered by the State Board will accompany the notice and agenda of meetings whenever possible.

a. Quorum for Meetings

A quorum of the State Board shall consist of a majority of the Board's members.

C. Public Participation in State Board Meeting

Procedures for public participation will be adopted by the State Board in accordance with the Open Meetings Act. (The procedures are attached.)

D. Location of Meetings

The meetings of the State Board will be held in the Ladislaus B. Dombrowski State Board Room, located on the fourth floor of the John A. Hannah Building, Lansing, Michigan, or at such other place as determined in advance by the State Board.

E. Parliamentary Procedures

Robert's Rules of Order Newly Revised (Tenth Edition), as modified by these by-laws will be followed by the State Board in conducting its business.

F. Order of Business for All Regular Meetings of the State Board

The order of business at Regular meetings of the State Board will be:

- (1) Adoption of Agenda and Order of Priority
- (2) Approval or Amendment of Minutes of the Previous Meeting
- (3) President's Report
- (4) Discussion/Presentation Items
- (5) Public Participation in State Board Meeting
- (6) Consent Agenda
- (7) Report of Superintendent

- (8) Comments from State Board Members
- (9) Preliminary Approval of Agenda for Next Meeting
- (10) Dates and Times of Future Meetings
- (11) Adjournment

G. Suspension of Order of Business

The order of business may be suspended by a majority of the voting members of the State Board.

H. Voting Procedure

Every vote by the State Board will be taken by calling the ayes and nays, and the names of those voting respectively for and against will be recorded in the minutes by the Recording Secretary. When all members of the State Board are present and the vote is unanimous, the vote will be recorded as unanimous in the minutes.

An affirmative vote by the majority of the members serving on the State Board shall be required to transact business.

I. Minutes

The State Board will follow the procedures outlined in Robert's Rules of Order relative to entering statements into the minutes of the State Board. The reasons for a vote will be recorded in the minutes if requested by a member prior to or promptly following the vote.

Minutes of the State Board once prepared in rough draft by the Office of the State Board Executive, will be forwarded to the Secretary of the State Board for review and comment. Once reviewed by the Secretary, the State Board Executive will forward the minutes to all State Board members for corrections, changes, additions, and final approval by the State Board at the next Regular or Special meeting of the State Board.

II. ELECTION OF OFFICERS AND NASBE REPRESENTATIVE

At a meeting of each odd numbered year, members of the State Board may elect from their membership, a President or Co-Presidents of the State Board. The President or Co-Presidents will perform such duties as will be assigned to him or her by the State Board, and as provided by these by-laws.

At a meeting of each odd numbered year, members of the State Board may elect from their membership, a Vice President or Co-Vice Presidents of the State Board. At a meeting of each odd numbered year the members of the State Board may elect a secretary and a treasurer, as well as the Board's voting delegate at meetings of the National Association of State Boards of Education (NASBE) from their membership. They will perform duties as provided herein or assigned by the State Board.

If for any reason any officer or the State Board's NASBE Delegate retires, resigns, or vacates the position, an election will be held to fill the vacated position at the meeting following the State Board's meeting declaring the office vacated.

III. ADDITIONAL COMMITTEES

Committees of the State Board will be constituted as deemed necessary and may be reconstituted at any time by the State Board. The President will appoint members and designate the chair with the concurrence of a majority of the members present and voting.

The duties and length of time of each committee will be determined by the State Board at the time it is created. All committees will automatically terminate at the end of each even numbered year.

All new matters must be first submitted to the State Board and the Board may submit them to the appropriate committee for consideration and report back to the Board.

IV. PERSONNEL PROCEDURES

The State Board will appoint the Superintendent of Public Instruction and the State Board Executive for a term of office as determined by the State Board.

V. SUPERINTENDENT OF PUBLIC INSTRUCTION

The Superintendent of Public Instruction will be the Chairman of the State Board without the right to vote, and will be responsible for the executive of its policies. He or she will preside at Regular and Special meetings of the State Board. In his or her absence, the President will preside at the Regular or Special meetings. If both the Superintendent and President are absent, the meeting will be chaired by the Vice President.

VI. STATE BOARD EXECUTIVE

The members of the State Board will appoint a State Board Executive. The State Board Executive will be the official custodian of the minutes and all supporting documents thereto of the State Board. In addition, the State Board Executive will be the custodian of the seal of the State Board and cause its imprint to be placed wherever appropriate. The State Board Executive will perform the duties assigned to him or her by the State Board in coordination with the Superintendent, and will hold office at the pleasure of the State Board.

VII. STATUS REPORT

A complete, written up-to-date list of the status of all pending matters will be provided to all members of the State Board at each regular meeting as part of the Report of the Superintendent.

VIII. AMENDMENTS

These By-laws may be amended in accordance with the following procedure: The proposed amendments will be submitted in writing and will lay on the table between the meeting at which they are submitted and the next duly constituted meeting at which time such amendments must be acted upon. The proposed amendments will require six affirmative votes for approval.